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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	:	Case No. 2:23-cr-00143-RFB-BNW
	:	
	:	
Plaintiff,	:	
	:	
v.	:	<u>STIPULATION TO</u>
	:	<u>CONTINUE</u>
SHAWN CONE,	:	<u>MOTION DEADLINES</u>
	:	(Third Request)
Defendant.	:	

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Allison Reese Assistant United States Attorney, counsel for the United States of America (hereinafter “the Government”), and Nicholas Wooldridge of Wooldridge Law Ltd., counsel for Shawn Cone (“the Defendant”) (collectively, “the Parties”), that the Pretrial Motion Deadlines currently scheduled for 1/5/24, 1/19/24, and 1/26/24 be vacated and continued to a date convenient to the Court, but no sooner than 45 days.

IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to and including until February 29, 2024, within which to file any and all pretrial motions and notices of defense.

1 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties, that
2 they shall have to and including March 14, 2024, within which to file any and all responsive
3 pleadings.

4 **IT IS FURTHER STIPULATED AND AGREED**, by and between the parties, that
5 they shall have to and including March 21, 2024, within which to file any and all replies to
6 dispositive motions.
7

8 The Stipulation is entered into for the following reasons:

9 1. Counsel for the defendant needs additional time to complete the investigation in
10 this case in order to determine whether there are any pretrial issues that must be litigated and
11 whether the case will ultimately go to trial or will be resolved through negotiations.
12

13 2. Denial of this request for continuance could waste limited judicial resources, and
14 deny counsel for the defendant sufficient time to effectively and thoroughly prepare and submit
15 pretrial motions and notices of defense, taking into account the exercise of due diligence.
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17 3. The defendant is not currently detained and does not oppose to the continuance.
18

19 4. Additionally, denial of this request for continuance could result in a miscarriage
20 of justice. The additional time requested by this stipulation is excludable in computing the time
21 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
22 States Code Section § 3161(h)(7)(A), considering the factors under Title 18, United States Code
23 §§ 3161(h)(7)(B)(i), (iv).
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This is the Third Stipulation to continue filed herein.

DATED: January 4, 2024

WOOLDRIDGE LAW, LTD.

JASON M. FRIERSON
United States Attorney

By /s/ Nicholas M. Wooldridge
NICHOLAS M. WOOLDRIDGE
Counsel for Defendant

By /s/ Allison Reese
Allison Reese
Assistant United States Attorneys

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,	:	Case No. 2:23-cr-00143-RFB-BNW
	:	
	:	
	:	
Plaintiff,	:	
	:	
v.	:	<u>FINDINGS OF FACT,</u>
	:	<u>CONCLUSIONS OF LAW</u>
	:	<u>AND ORDER</u>
SHAWN CONE,	:	
	:	
Defendant.	:	

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the defendant needs additional time to conduct investigation in this case in order to determine whether there are any pretrial issues that must be litigated and whether the case will ultimately go to trial or will be resolved through negotiations.

2. The defendant is not in custody and does not object to the continuance.

3. The parties agree to the continuance.

4. The additional time requested herein is not sought for purposes of delay, but to permit counsel for defendant sufficient time within which to be able to effectively complete investigation of the discovery materials provided.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,

1 Section 3161(h)(7)(B)(i), (iv).

2 **CONCLUSIONS OF LAW**

3 The ends of justice served by granting said continuance outweigh the best interest of the
4 public and the defendant in a speedy trial, since the failure to grant said continuance would be
5 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
6 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
7 account the exercise of due diligence.
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9 The continuance sought herein is excusable under the Speedy Trial Act, title 18, United
10 States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United
11 States Code, § 3161(h)(7)(B)(i), (iv).
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ORDER GRANTING IN PART

IT IS THEREFORE ORDERED that the parties herein shall have to and including February 8, 2024, to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including February 22, 2024, to file any all responses.

IT IS FURTHER ORDERED that the parties shall have to and including February 29th, 2024, to file any and all replies.

DATED this 5th day of January, 2024



UNITES STATES DISTRICT JUDGE